

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**AL M. WILLIAMS,**

**Plaintiff,**

**v.**

**LADERA APARTMENTS, *et al.*,**

**Defendants.**

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**Civil Action No. 4:21-cv-154-SDJ-KPJ**

**ORDER**

This matter is before the undersigned for the limited purpose of the temporary restraining order and permanent injunction, pursuant to 28 U.S.C. § 636(c) and the consent of the parties. On March 12, 2021, the Court entered a Temporary Restraining Order (“TRO”) (Dkt. 15), enjoining Defendants from executing a writ of possession for fourteen (14) days. On March 24, 2021, the Court held an evidentiary hearing on Plaintiff’s prayer for a preliminary injunction. *See* Minute Entries for March 24, 2021. During the Hearing, the Court received evidence and heard argument on whether a preliminary injunction should issue in this matter.

The TRO is set to expire today, March 26, 2021. *See* Dkt. 15. However, a temporary restraining order may be extended if the party against whom the order is directed consents to its extension. FED. R. CIV. P. 65(b)(2). On March 24, 2021, both parties stated they consented to an extension of the TRO, but with modifications. As such, the Court finds that an extension of the TRO is warranted in this matter.

**IT IS THEREFORE ORDERED** that the Temporary Restraining Order issued on March 24, 2021 (Dkt. 15) is extended and modified as follows:

**IT IS ORDERED** that Defendants are **ENJOINED** from contacting a constable or sheriff to schedule, organize, and execute Plaintiff’s removal from 3930 Accent Drive, Apartment 2411,

Dallas, Texas 75287, until a ruling on Plaintiff's prayer for a preliminary injunction is entered.

**IT IS FURTHER ORDERED** that Defendants are permitted to continue finalizing the state court proceedings in *Ladera v. Carolyn Williams and All Other Occupants*, No. CV-2020-0600-JP, pending in Denton County Court at Law No. 2. Nothing in this Order prevents Defendants from submitting filings to, and receiving rulings from, Denton County Court at Law No. 2.

**IT IS FURTHER ORDERED** that when the Second CDC Moratorium, 86 Fed. Reg. 8,020 (Feb. 3, 2021), on evictions related to rental properties expires on March 31, 2021, or when the Denton County Court at Law No. 2 , enters its written order pursuant to paragraph 4(c) of the Texas Supreme Court's Thirty-Fourth Emergency Order Regarding the COVID-19 State of Disaster, — S.W.3d —, No. 21-9011, 2021 WL 103675 (Jan. 29, 2021), for *Ladera v. Carolyn Williams and All Other Occupants*, No. CV-2020-0600-JP, whichever is sooner, the parties shall notify the Court of such developments within three (3) business days.

Further, the Court hereby gives notice that a hearing on Plaintiff's prayer for a preliminary injunction shall occur no later than three (3) business days after receiving notice from the parties. The Court intends to enter its memorandum opinion and order on Plaintiff's prayer for a preliminary injunction no later than five (5) business days following the preliminary injunction hearing.

**So ORDERED and SIGNED this 26th day of March, 2021.**

A handwritten signature in black ink, appearing to read 'K. Priest Johnson', written over a horizontal line.

KIMBERLY C. PRIEST JOHNSON  
UNITED STATES MAGISTRATE JUDGE